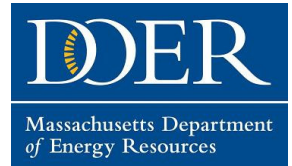




FY 2012 GREEN COMMUNITY DESIGNATION AND GRANT PROGRAM



PROGRAM GUIDANCE

INTRODUCTION

The following guidance describes the Green Community Designation and Grant Program process (pursuant to M.G.L. Ch. 25A §10).

Becoming designated as a Green Community provides grant funding to a municipality to support all, or a portion, of the cost of the following:

- studying, designing, constructing and implementing energy efficiency activities including, but not limited to, energy efficiency measures and projects;
- procuring energy management services;
- adopting energy efficiency policies; and,
- siting activities and construction of a renewable energy generating facility on municipally-owned land.

The Green Community Designation and Grant process requires a sequence of steps:

- 1) A municipality applies to DOER's Green Communities Division (the Division) for designation to demonstrate that it meets the five specific designation criteria. These criteria are outlined in this document and detailed in the toolkit available at <http://tinyurl.com/GCToolkit>. To fully understand all of the criteria, it is important to review all of the detailed guidance available at the toolkit link, some of which is provided as important links in this document. **Prior to applying for designation, it is important for a municipality to review the toolkit to make sure that it is complying with the most recent guidance available.** Designation guidance begins on page 3 of this guidance document.
- 2) The Division reviews the application and determines whether a municipality meets the five criteria. The Division then informs the municipality of its decision of whether or not it meets the criteria to become designated as a Green Community. If designated a Green Community, the municipality will also be informed of the amount of its grant award.
- 3) The designated municipality applies for grant funding.
- 4) The Division evaluates the designated municipality's grant application and determines if the proposed projects are eligible for funding and provide the best overall beneficial impact for the municipality.

INSTRUCTIONS

Designation Application (Required)

To receive grant funding, the applicant must first be designated as a Green Community. To receive official designation as a Green Community, the applicant must complete the "Designation Application" and submit it to the Division for review. Once the Division has completed its review, it will notify the applicant whether or not it has been designated a Green Community.

Preliminary Consultation (Optional)

Those municipalities that wish to have their designation criteria reviewed prior to formally submitting a Designation Application to the Division may request a preliminary consultation with the Division. In order to receive a preliminary consultation you must submit an electronic request via email to your Regional Coordinator ([find your Regional Coordinator](#)). The request must specify which of the five criteria the applicant is seeking consultation for and include draft supporting documents. Preliminary consultation requests may be submitted between September 28, 2011 and November 4, 2011 and will be reviewed in the order in which they are received. Requests received after November 4, 2011 at 5:00 p.m. will not be considered. It is suggested that requests for preliminary consultation be made to allow time for review and consultation by the Division and potential revision by the municipality before documents are to be voted upon at a Town Meeting.

Please note that a preliminary consultation does not represent designation approval.

Deadline for Designation

Municipalities may apply for designation at any time. However, in order for a municipality to be eligible to submit a grant application, it must submit a designation application prior to the grant application deadline. The next designation application deadline is:

Designation Application Deadline: Friday, November 18, 2011, 5:00pm

To apply: This Designation Application Instructions document, is available at <http://tinyurl.com/GCToolkit> and at www.comm-pass.com, PON-ENE-2010-039.

Grant Application (Required for funding)

Once designated, the Green Community is eligible to apply for grant funds. Designated Green Communities must fill out a grant application and submit it by the deadline of January 20, 2012 at 5:00 PM. Amount of awards will be based on available funds, the number of applicants and a predetermined grant allocation formula.

Please note: This is the last time the Division will offer a grant round for newly designation communities in the Fall/Winter season. Beginning in Spring 2012, the Division will move to a single annual announcement for newly designated municipalities and grant application deadline in the late Spring and early Summer, respectively.

FALL FY 2012 DESIGNATION AND GRANT APPLICATION TIMELINE

DATE	EVENT
Wednesday, September 28, 2011 through Friday, November 4, 2011	Accepting requests for designation application preliminary consultations
Friday, November 18, 2011, by 5pm	Deadline for designation applications
Friday, December 16, 2011	Begin accepting grant applications
Friday - January 20, 2012, by 5pm	Deadline for grant applications



GUIDANCE FOR BECOMING DESIGNATED AS A GREEN COMMUNITY

REQUIREMENTS FOR MEETING THE CRITERIA TO BE DESIGNATED AS A GREEN COMMUNITY

As outlined in MGL c. 25A §10(c), a municipality must do ALL of the following:

NOTE: One or more municipalities may submit an application together to qualify as a regional Green Community. Each municipality in a regional application must meet each of the requirements with one exception: the 20% reduction from the energy baseline can be applied in the aggregate across all of the municipalities.

CRITERION 1: AS-OF-RIGHT SITING – RENEWABLE ENERGY / ALTERNATIVE ENERGY

A municipality must provide zoning for the as-of-right siting of:

1. renewable or alternative energy generating facilities,
OR
 2. renewable or alternative energy research and development (R&D) facilities,
OR
 3. renewable or alternative energy manufacturing facilities in designated locations.
- “As-of-Right Siting” is defined as siting that provides for the allowed use and that does not unreasonably regulate nor require a special permit.
 - An applicant can meet this requirement by providing as-of-right siting for any one of the three types of facilities listed above.
 - If a community has as-of-right siting in place for R&D and/or manufacturing facilities in general, this can meet this requirement. The community must demonstrate that the zoning bylaw applies to renewable and alternative energy R&D or manufacturing.
 - Communities can select the specific locations for the as-of-right siting, for example, where these facilities are to be located. These locations must be feasible and practical. For example, locations for wind are required to have adequate wind resources (6m/s at 70 meters) and biomass Combined Heat and Power (CHP) locations are required to have a sufficient thermal load.
 - If providing as-of-right siting for a renewable or alternative energy generation facility, the community must select technology that is practically available and provides a realistic opportunity for generation. It is expected that a community will appropriately utilize its available

renewable resources, and this will be taken into consideration in the review of an application meeting this requirement.

- As-of-right zoning bylaws can apply appropriate standards that protect public health and safety and provide for non-discretionary site plan review. Reasonable environmental performance standards per the developed bylaw may be incorporated into the Site Plan Review (SPR) process (e.g. height, setback, etc...), but cannot be so stringent as to make the use infeasible. The key is that SPR must be truly non-discretionary: if the standards and zoning requirements are met, the project can be built. This is distinct from the Special Permit (SP), in that the SP may be denied if the Planning Board or other permit granting authority is not satisfied with the project.
- An applicant can meet this requirement with as-of-right siting for renewable or alternative energy generation with any one of the following project requirements:
 - On-shore Wind – a turbine of a minimum 600 kW in size or above
 - Off-shore Wind – a turbine of a minimum 2.5 MW or above
 - Solar Photovoltaic – a single ground-mounted system of a minimum of 250 kW or above
 - Biomass CHP – a minimum of 5MW in a stand-alone building
 - Ocean, wave or tidal – no minimum threshold
- If providing as-of-right siting for R&D or Manufacturing facilities, a municipality's zoning must specify as an allowed use construction of one of the following facilities:
 - **Research and Development Facilities** are those used primarily for research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses.
 - **Manufacturing Facilities** are those used primarily for heavy or light industry or the manufacture or assembly of a product including processing, blending, fabrication, assembly, treatment and packaging.
- Additionally, in order to qualify, the as-of-right zoning for R&D or manufacturing must clearly allow renewable or alternative energy activities defined as follows. The expectation is that the municipality will allow for all of the technology areas listed below. Given adequate justification, the Division may permit exclusion of a particular technology.

Renewable Energy:

- Solar – photovoltaic (PV) and thermal
- Wind
- Biomass power conversion or thermal technologies, including R&D related to, or the manufacture of, wood pellets
- Ultra low emissions high efficiency wood pellet boilers and furnaces
- Low Impact Hydro – electric and kinetic
- Ocean thermal, wave or tidal
- Geothermal
- Landfill Gas
- Fuels Cells that use Renewable Energy
- Advanced biofuels

Alternative Energy:

- Combined Heat and Power
- Electric and hydrogen powered vehicles and associated technologies including advanced batteries and recharging stations

Documentation Required to Meet Criterion 1

The following documentation must be provided as evidence that the municipality has met this criterion.

- o Brief description of the qualifying section of the bylaw or ordinance that identifies designated locations
- o Color copy of the zoning map that shows area zoned
- o Applicable sections of the zoning bylaw or ordinance
- o Important zoning definitions
- o Relevant section of the use table and any key that will help DOER interpret the use table
- o Any related local regulations applicable to facilities sited under the bylaw/ordinance—such as site plan review regulations—so that DOER can confirm that the related local regulations are non-discretionary; and
- o For RE/AE R&D and/or Manufacturing Facilities only yield calculations, either in the text of the letter provided by municipal legal counsel or attached.

In addition to the above, for those applicants that meet the criterion for either RE/AE R&D and/or Manufacturing through *existing* bylaws or ordinances, applicants must provide a letter from municipal legal counsel certifying that the existing zoning complies with the RE/AE Facilities criterion. In terms of specific contents, the letter must cite and summarize the pertinent section of the zoning ordinance/bylaw.

NOTE: When grant awards are made to those applicants who have been designated as a Green Community, dependant upon the funds available, a bonus amount **may** be provided to those who have met the as-of-right siting requirement through renewable and alternative energy generation.

IMPORTANT LINKS:

- [Model As-of-Right Wind Bylaw](#)
 - [Model As-of-Right Large Scale Solar PV Bylaw](#)
 - [Guidance for As-of-Right R&D or Manufacturing Bylaw](#)
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CRITERION 2: EXPEDITED PERMITTING

A municipality must adopt an expedited application and permitting process under which these Criterion 1 facilities may be sited within the municipality and the permitting process shall not exceed one (1) year from the date of initial application to the date of final approval.

- The expedited application and permitting process applies only to the proposed facilities which are subject to the as-of-right siting provision.

- An applicant can meet this requirement by applying the expedited permitting process of MGL c 43D to these zoning districts.

Documentation Required to Meet Criterion 2

The following documentation must be provided as evidence that an expedited application and permitting process has been fully adopted for the as-of-right zoned parcels.

Local Expedited Permitting Process

- Municipalities must provide DOER a letter from municipal legal counsel affirming that nothing within the municipality's rules and regulations precludes issuance of a permitting decision within one year along with the language addressing approval procedures and associated timing from any applicable bylaws/ordinances or regulations.
- The applicant should also include a color copy of the applicable map(s) showing that the areas where the expedited permitting applies coincides with the as-of-right zoned areas for Criterion 1. If appropriate, this map may be the same as the map provided for Criterion 1.

MGL c43D

- Municipalities must provide DOER with a certified copy of their City Council or Town Meeting vote designating the as-of-right zoned parcel(s) as a Priority Development Site.
- The applicant should also include a color copy of the applicable map(s) showing the areas where the expedited permitting applies.

IMPORTANT LINKS:

[Guidance on Expedited Permitting](#)

CRITERION 3: ENERGY BASELINE / 20% ENERGY REDUCTION PLAN

A municipality must establish an energy use baseline inventory for all municipal buildings, school buildings, municipal and school vehicles, street and traffic lighting, drinking water and wastewater treatment plants, pumping stations and open spaces owned by the municipality prior to submitting a designation application, and put in place a comprehensive program designed to reduce this baseline by 20 percent within 5 years of the baseline year.

- The 20% reduction goal should be applied in the aggregate across buildings, vehicles, water/sewer, street and traffic lights on an MMBtu (million British Thermal Units) basis.
- To receive credit for energy efficiency measures that have been recently implemented, applicants can establish a baseline no earlier than FY 2009 (or CY2009), with a reduction plan commencing the following year.
- For applications consisting of more than one community, each community must complete an inventory and all of the individual inventories together will serve as the total baseline for the

regional application. The comprehensive program to reduce the baseline by 20% will then be applied across all communities.

- Perform the inventory using one of these acceptable tools:
 - DOER's [MassEnergyInsight tool](#)
 - [EnergyStar Portfolio Manager](#)
 - [ICLEI software](#)
 - Other tools proposed by the community and deemed acceptable by DOER

Documentation Required to Meet Criterion 3

A copy of the Energy Reduction Plan for reducing energy consumption by 20% in 5 years across all municipal buildings, school buildings, municipal and school vehicles, street and traffic lighting, drinking water and wastewater treatment plants, pumping stations and open spaces owned by the municipality must be provided. At a minimum, the Plan must include the following information:

- Identification of the inventory tool used
- Identification of the baseline year used
- The energy baseline, including the local school district, and associated documentation Specific energy conservation measures to be implemented, the reductions to be achieved, and a timeline with milestones to implement measures and achieve required energy reductions
- Documentation that both the general government and local school district have adopted the energy reduction plan. If a regional school district is included as part of the designation, documentation that the regional school district has adopted the plan must be included. See Criterion 3 Guidance, "Energy Reduction Plan Guidance", for more details.

IMPORTANT LINKS:

[Energy Reduction Plan Guidance \(Word 97/2003\)](#)

[Excel Tables for Energy Reduction Plan](#)

(Guidance in Word 2007 and later with embedded excel tables can be found at the toolkit)

CRITERION 4: PURCHASE ONLY FUEL-EFFICIENT VEHICLES

A municipality must purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

To meet this criterion, an applicant must provide a vehicle inventory for all vehicles and a plan for replacing non-exempt vehicles with vehicles that meet the fuel efficiency ratings below. These fuel efficiency ratings are set to ensure that at least 5 or more automatic transmission models of mass production are available for sale in Massachusetts. Based on 2010 EPA data, vehicles are to have a combined city and highway MPG no less than the following:

- 2 wheel drive car: 29 MPG
- 4 wheel drive car: 24 MPG
- 2 wheel drive small pick-up truck: 21 MPG
- 4 wheel drive small pick-up truck: 19 MPG
- 2 wheel drive standard pick-up truck: 17 MPG

- 4 wheel drive standard pick-up truck: 16 MPG
- 2 wheel drive sport utility vehicle: 21 MPG
- 4 wheel drive sport utility vehicle: 18 MPG

Hybrid or electric vehicles in these vehicle classes will meet these criteria

- Recycling of vehicles is only allowed if the replacement vehicle meets the fuel efficiency ratings prescribed above. Please be advised that recycled Ford Crown Victoria vehicles do not meet the MPG rating and therefore would not meet the fuel-efficient vehicle requirement.
- Heavy-duty vehicles such as firetrucks, ambulances, and public works trucks are exempt from this criterion. Heavy-duty vehicles are defined as those vehicles that have a gross vehicle weight rating of 8,500 pounds or more.
- Police cruisers, passenger vans, and cargo vans are exempt from this criterion. However, municipalities must commit to purchasing fuel-efficient cruisers, passenger vans, and cargo vans when they become commercially available. Police department administrative vehicles must meet the fuel-efficient ratings above.
- If an applicant does not have a vehicle fleet other than exempt vehicles, it must propose alternative means for meeting this requirement. For example, a municipality may put in place policies and procedures that promote reduced fuel usage for the municipality; carpooling incentives for municipal employees; preferred parking for employees with hybrid vehicles; bike racks at municipal buildings and incentives for employees to bike to work.

Documentation Required to Meet Criterion 4:

The following documentation must be provided as evidence that the municipality has met this criterion:

- Copy of the policy or other mechanism adopted for purchasing only fuel efficient vehicles
- Inventory of all vehicles (model, year, estimated MPG) including local school district vehicles, with exempt/non-exempt status indicated.
- Replacement plan for non-exempt vehicles with fuel efficient vehicles
- Documentation that both the municipality and the local school district have adopted the fuel efficient vehicle policy. If a regional school district is included as part of the designation, documentation that the regional school district has adopted the fuel efficient vehicle policy must be included. See Criterion 4 Guidance, "Guidance and Model Policy for Purchasing Fuel Efficient Vehicles", for more details.

IMPORTANT LINKS

[Guidance and Model Policy for Purchasing Fuel Efficient Vehicles](#)

CRITERION 5: MINIMIZE LIFE-CYCLE COSTS

A municipality must require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

The recommended way for cities and towns to meet this requirement is by adopting the Board of Building Regulations and Standards (BBRS) Stretch Code (780 CMR 115.AA), an appendix to the MA State Building Code. Should a community chose to not adopt the Stretch Code and choose to use another standard, the community must provide evidence that this alternative standard minimizes the life cycle energy costs for all new construction and is enforceable by the community.

Towns are advised to adopt the Stretch Code as a general bylaw by its Town Meeting. Cities are advised to adopt the Stretch Code by general ordinance via the City Council.

Documentation Required to Meet Criterion 5

The following documentation must be provided as evidence to verify that the municipality has met this criterion:

Stretch Energy Code

The municipality must provide documentation of the city council or town meeting vote adopting 780 CMR 115.AA, the MA Board of Building Regulations and Standards (BBRS) Stretch Energy Code.

PLEASE NOTE: 780 CMR 120.AA is no longer in effect. **The municipality MUST adopt 780 CMR 115.AA.**

Local Process

The municipality must provide documentation of the standard adopted, the mechanism in place for requiring this criterion for new construction and documentation of how this standard provides reduced life-cycle energy costs.

NOTE: If a municipality plans to meet this criterion through a local process, they are encouraged to submit a description of how it plans to do so with supporting documentation in advance of applying for designation. In this way, the Green Communities Division can provide feedback on the acceptability of the identified process for meeting this criterion.

IMPORTANT LINKS

[Stretch code](#)

[Stretch code questions and answers](#)

[Stretch Code Adoption Process](#)
